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**Notice of Allowability**

Application No.

10/772,094

Applicant(s)

TOKUNAGA ET AL

Examiner

Nathaniel C. Chukwurah

Art Unit

3721

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 6/13/2005.
2. ☒ The allowed claim(s) is/are ~~48~~ 1-18
3. ☒ The drawings filed on 04 February 2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

***REASONS FOR ALLOWANCE***

The following is an examiner's statement of reasons for allowance:

The art of record considered as a whole, lone or in combination, neither anticipates nor renders obvious a power tool adapted to tighten a fastener comprising in combination a motor, means for generating an elevated torque, wherein the means for generating elevated torque is coupled to the motor, and having an output shaft, a load shaft connected to the output shaft, a memory for storing a state of either the output shaft or the load shaft, means for detecting changes in rotational angle of either the output shaft or the load shaft, a processor in communication with motor wherein the processor stores the stated of either the output shaft or the load shaft in the memory, wherein the processor determines, based upon the stored state of either the output shaft or the load shaft, when the means for generating an elevated torque generates the elevated torque.

The art of record considered as a whole, lone or in combination, neither anticipates nor renders obvious a power tool adapted to tighten a fastener comprising in combination a motor, means for generating an elevated torque, wherein the means for generating elevated torque is coupled to the motor, and having an output shaft, a load shaft connected to the output shaft, means for detecting changes in rotational angle of either the output shaft or the load shaft a memory for storing automatic stopping programs, a processor in communication with the motor wherein the processor determine the type of workpiece based upon the signals from the detecting means, and selecting the automatic stopping program based upon the determined type of workpiece, and stopping the motor in accordance with the selected automatic stopping program.

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The art of record considered as a whole, lone or in combination, neither anticipates nor renders obvious a power tool adapted to tighten a fastener comprising in combination a motor, means for generating an elevated torque, wherein the means for generating elevated torque is coupled to the motor, and having an output shaft, and wherein if a load acting on the output shaft is less than a predetermined value, rotating torque generated by the motor is directly transmitted to the output shaft and if a load acting on the output shaft exceeds the predetermined value, an elevated torque is generated the means for generating torque, and the means for generating an elevated torque comprises an oil pulse unit.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathaniel C. Chukwurah whose telephone number is (571) 272-4457. The examiner can normally be reached on M-F 6:00AM-2:30PM.

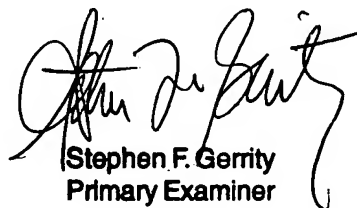
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi Rada can be reached on (571) 272-4467. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NC

June 23, 2005.



Stephen F. Gerrity  
Primary Examiner